

UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of: van den Berg *et al.*

Confirmation No.: 5284

Serial No.: 10/007,275

Examiner: Christopher H. Yaen

Filed: October 26, 2001

Group Art Unit: 1642

For: Method for Inhibiting Cell Functioning for  
Use in Anti-Inflammatory and Anti-Tumor  
Therapies

Attorney Docket No.: 080743-235001

STATEMENT OF PERMANENCE AND  
AVAILABILITY OF DEPOSITED HYBRIDOMASCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Christine Diederike Dijkstra, a co-inventor of the invention disclosed and claimed in the above-captioned application, declare and state:

1. That hybridoma ED9, secreting native monoclonal antibody ED9, was deposited with the European Collection of Cell Cultures (ECACC), at ECACC, Health Protection Agency, Porton Down, Salisbury, Wiltshire, SP4 0JG, United Kingdom, in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure on behalf of the Applicants and the Faculteit der Geneeskunde van de Vrije Universiteit, Assignee of the above-captioned application. The deposited hybridoma was assigned ECACC accession number 95110626.

2. That hybridoma ED17, secreting native monoclonal antibody ED17, was deposited with the European Collection of Cell Cultures (ECACC), at ECACC, Health Protection Agency, Porton Down, Salisbury, Wiltshire, SP4 0JG, United Kingdom, in compliance with the Budapest Treaty on the International Recognition of the Deposit of Microorganisms for the Purposes of Patent Procedure on behalf of the Applicants and the Faculteit der

Geneeskunde van de Vrije Universiteit, Assignee of the above-captioned application. The deposited hybridoma was assigned ECACC accession number 95110627.

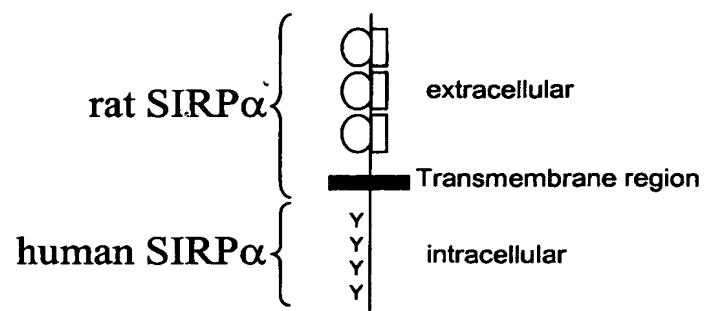
3. I hereby assure the United States Patent and Trademark Office and the public that (a) all restrictions on the availability to the public of the hybridomas referred to in paragraphs 1 and 2 will be irrevocably removed upon issuance of a United States patent making reference to the hybridomas; (b) the hybridomas will be maintained for a period of at least five years after the most recent request for the furnishing of a sample of one of the deposited hybridomas was received by the ECACC and, in any case for a period of at least 30 years after the date of deposit; (c) should the deposits become non-viable they will be replaced by the Applicants and/or Assignee; and (d) access to the hybridomas will be available to the Commissioner during the pendency of the patent application or to one determined by the Commissioner to be entitled to the hybridomas under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.

Respectfully submitted,

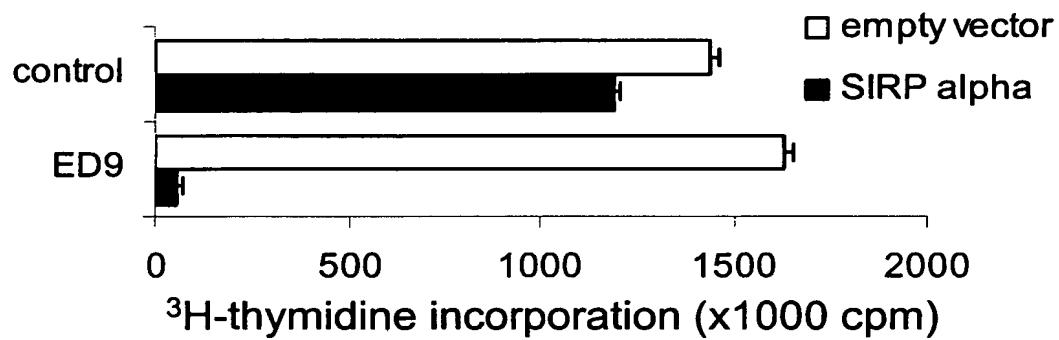
Date: 01-12-04

Christine Diederike Dijkstra  
Christine Diederike Dijkstra

**Fig.1A**



**Fig.1B**



**Fig.2**

